

Washington State Department of Ecology
Written Testimony
Due Date: July 17, 2015, 5:00 PM

I am Walter "Spike" Arlt, the Manager Partner representing the Arlt Family Limited Partnership for presenting this written testimony.

This written testimony is a document expanding on my 3 minute oral testimony on July 8, 2015 given at the Moses Lake Fire Station Public Hearing. Also included will be still picture and video documentation as numerous appendices of old and new documentation, data and information.

The Arlt Family Limited Partnership again stands firm for the statewide termination of the new "General Permit" that replaces the old obsolete "Fishery Resource Management National Pollutant Discharge Elimination System Waste Discharge Individual Permit No. WA0041009 Washington State Department of Fish and Wildlife". The purpose of this permit application by WDFW is for the use of rotenone as a piscicide in fisheries management.

We are opposed to the intentional dumping of such toxins into our pristine waters in Eastern Washington.

In this new draft version of the "General Permit" (see Appendix F-1 on page 3) there is nothing about meeting any of this WAC, or why this permit is needed. It is completely omitted and void of the RCW Chapter 90.48 - the State Water Pollution Control Act and everything it stands for in the red text below. See Appendix F-2 Draft Fisheries resource Management NPDES and State Waste Discharge General Permit Fact Sheet, page 2, Paragraph 2.

RCW Chapter 90.48 - the State Water Pollution Control Act

RCW 90.48 declares that maintaining the highest possible standard to ensure purity of all waters of the state is the policy of the State. Healthy water quality must be maintained for public health, public enjoyment, protection of terrestrial and aquatic life, and the industrial development of the state. All known, available, and reasonable methods must be used by industries and other to prevent and control pollution.

In addition, it is unlawful for any person to discharge pollutants to waters of the state. The only time a discharge is lawful is when a permit to discharge is obtained from Ecology prior to the discharge occurring (Chapters 90.48.080 and 90.48.160).

90.48.080

Discharge of polluting matter in waters prohibited.

It shall be unlawful for any person to throw, drain, run, or otherwise discharge into any of the waters of this state, or to cause, permit or suffer to be thrown, run, drained, allowed to seep or otherwise discharged into such waters any organic or inorganic matter that shall cause or tend to cause pollution of such waters according to the determination of the department, as provided for in this chapter.

RCW 48.90.160

Suspension of plan — Reconsideration.

The commissioner may disapprove, and require suspension of a plan for failure of the association to comply with any provision of this chapter, for gross mismanagement, or for willful disregard and neglect of its fiduciary duty. The association shall have the right to request reconsideration of the commissioner's decision within fifteen days of the receipt of the commissioner's written notification of the decision, or to request a hearing according to chapter 48.04 RCW.

The State Water Pollution Control Act is very, very, very precise and clear!

**So where is the "Grand Emergency" here to warrant this Toxic pollution? It only happens every 8 to 10 years in certain Eastern Washington Lakes???
None in Western Washington Lakes???**

Western Washington can have the highest possible standard water purity, but we cannot in Eastern Washington lakes? We can suffer this "Aquatic Horror" (see Appendix F-1) in cycles every 8 to 10 years for improved catches of Trout Fish? Fish and Wildlife cannot plant more catchable sized trout fish in Eastern Washington Lakes like they do in Western Washington? Is this Governmental Bureaucratic discrimination or what?

The original NPDES permit was approved in 1992 and has been extended July 5, 2002 and again in 2007.

As I stated in the oral testimony this old NPDES Permit as well as the New General Permit is in direct conflict with the statutes of the State of Washington every time it is used with an application by the Fish and Wildlife Department. "Washington's water quality statutes and regulations do not allow the discharge of pollutants to water of the state without permit coverage." See Appendix A-1, paragraph 2.

"Washington Department of Fish and Wildlife (WDFW), the State Environmental Policy Act (SEPA) lead for this permit, has determined that this proposal is likely to have significant adverse impact on the environment." See Appendix A-1, paragraph 3.

We refer to the significant adverse impact above as "Aquatic Horror".

AFLP Written Testimony

This New "General Permit" is also in direct conflict with the Department of Ecology 3 primary goals, see Appendix A-2:

- Prevent pollution
- Clean up pollution
- Support sustainable communities and natural resources

There is no question this old and new permit allows tons of powdered poison and barrels of liquid poisons to be put into streams and lakes which affect state statutes, Ecology goals and F&W conservation negatively.

Other important areas are:

- Toxics Cleanup
- Water Quality
- Water Resources

A New General Permit (see Appendix F-1) and the F&W usage of it, are in direct conflict **F&W Department Goals:**

Goal 1

Conserve and protect native fish and wildlife See Appendix A-4

In the oral testimony, we documented potential harm to our personal property and potential harm to members of the Arlt Family Limited Partnership with toxic chemicals and dead fish contamination to the lake, shoreline, property and domestic well. This harm is not only to water, but to air, the land and to the total environment. This has happened to this Arlt property 9 times over the years in cycles of about 8 years.

If there is any doubt about the potential harm to health and toxic chemicals to the environment I suggest that the DVD for the 1996 Rotenone application be reviewed that Mr. Jim Moore recorded and copyrighted called, "Rotenone Documentary".

I further request since this DVD was placed in the Ecology Archives as a part of the 54 pages (contained in a file called: Park Lake.pdf) concerning the 1996 Fish and Wildlife Rotenone Applications to Park, Blue and Alkali Lakes that they both be a part of this written testimony.

I have just reviewed my DVD , the "Rotenone Documentary" and it definitely shows the "Aquatic Horror" of these Fish and Wildlife Rotenone Applications. **See Appendix A-7 for the information, permission and documentation concerning the DVD copyrights.**

Since this is not an Ecology interagency transfer item, both these documented histories should be available for review in the Ecology written testimony from Ecology Archives .

As the Manager of the Arlt Family Limited Partnership I make that request to have both items taken from the Ecology Archives and placed into written Testimony for this new "General Permit" information.

The address and phone number in the letter correspondence for Mr. James Moore or his wife Vivian Moore is no longer valid. The new address for Jim Moore is: Jim Moore, PO Box 18376, Spokane, Washington 99228-0376. I do not have a valid phone number for him. His two sons are: Josh Moore 509-323-2132 and Jonathan Moore 509-760-3460. I have not been able to contact the Moore family this week, but these phone numbers work.

The conclusion in a short summary here of RCW Chapter 90.48 - the State Water Pollution Control Act is this: When the old NPDES Permit was used by the Department of Fish and Wildlife on Park Lake, the Arlt Family Limited Partnership had no protection to prevent pollution, no protection to clean up pollution, no protection to Toxics Clean up, no protection to Water Quality and no protection to Water Resources.

The WAC law was not enforceable in 2006 with the old NPDES Permit; it is not enforceable in the new proposed "General Permit" either.

Eastern Washington residents are without any legal protection at the times of these cyclic rotenone applications and dissipations during or for these processes and functions.

Therefore a total eradication happens to "Conserve and protect native fish and wildlife". The rotenone applications purge the waters they are applied to and kill any water life from the time of application through the dissipation time period, however long that takes.

This is a sample of the powdered Rotenone only that was applied to Blue Lake in 2006. 35,900 lbs. of powdered Rotenone is 17.95 tons or a semi trailer full! See Appendix D-2, D-3 and D-4 images.

Liquid Rotenone was applied after the powdered Rotenone was applied to surface waters in both Blue and Park Lakes. (Note: Most Liquid Rotenone images in Appendix D-3).

In the past we attempted to collect dead fish for analysis and testing to see what chemicals had accumulated in the tissues of all killed items and species from the Rotenone applications.

This collection of fish samples was confiscated from me by Fish and Wildlife and I was escorted by the Grant County Sheriff office deputies to the Fish and Wildlife application headquarter on Blue Lake to turn them in. Pictures were taken of those samples. I was told by Jeff Korth I was not authorized to have these samples or test them, so currently there is **NO** data of any kind regarding bioaccumulation of toxic chemicals of either killed or surviving fish species treated with rotenone based toxins. It is also unknown what percentage of fish species survive these "Aquatic Horror" applications. See Appendix D-1.

Only F&W contracted testing is completed on some of the lake surface water concerns, that being the bodies of water (lakes and streams) that the chemicals are placed into. Park Lake contains depths of 85 feet. We know that from topographical maps and from high tech fish finding readings. It is unknown if the rotenone concentrations are different at the top of the lake or at different depths.

These depths of the lake are where potable water is drawn from and the entire Columbia Plateau area is all fractured basalt that wells are drilled into.

AFLP Written Testimony

The Columbia Plateau is a National Geographic Region and the Arlt Family Limited Partnership owns property in it. It is a national treasure that we have owned now in the family 47 years. Park and Blue Lakes are a part of that national treasure. For the history and documentation on this: See Appendix F-8, F-9, F-10, F-11, F-12, and F-13. The Columbia Plateau is also connected to the Nespelem Indian Nation and Migratory Routes which include Park and Blue Lakes.

The Columbia Plateau streams and lakes must be removed from the Fish and Wildlife Lake and Stream Rehabilitation programs that use Rotenone and toxic chemicals to temporarily modify pollution and the environment. As property owners we were notified by Ron Sell, Grant County Planning Department in a letter to encourage the owners to practice good stewardship to protect the habitats and associated fish and wildlife populations. See Appendix F-14.

Aquifers and wells are not tested, but hydraulic connections have been proven with expert opinion and Mitoscan well testing by the Arlt Family Limited Partnership. The toxic chemical that should be tested for in wells and the surface waters of lakes is: Piperonyl Butoxide: The Trojan Horse of Pesticides. See Appendix F-5.

There is no required private or state F&W or Ecology permit water testing of well water (potable) hydraulic or chemical analysis for lake water connections or of lake or stream beds soil sediment before or after the application or dissipation period.

Finally, Rotenone toxicity is tested by trout bioassay. A cage (called a live box test) is placed in the water with trout in it. If all fish survive for 48 hours in this test, rotenone is below testable limits. Apparently that is good enough regarding the extent of WDFW chemical testing procedures, to notify property owners that it is safe to use the surface waters treated. See Appendix F-16.

I have been asked to give up my surface water rights for about 4 months of use by Fish and Wildlife so they can apply toxic chemicals to this water to improve catchable limits of trout for a cycle of 8 to 10 years before this rehab program fails. This is up to 5,000 gallons per day of water use from Park Lake. See Appendix E-7.

I have been asked to give up my potable well water rights for about 4 months of use of up to 5,000 gallons per day so they can apply toxic chemicals to this water to improve catchable limits of trout for a cycle of 8 to 10 years before this rehab program fails. See Appendix E-7.

I did not sign that agreement and never intend to just to allow radical toxic chemicals into the environment to kill all species of fish and water life to improve "Trout Fishing in Park Lake" for a short cycle of life about 8 years. See Appendix E-1, E-2, E-4, E-5 and E-6.

I gave written testimony to the Washington State Pollution Control Hearings Board of AFLP concerns, problems and violations of the NPDES Permit. See Appendix E-3

The math on these surface and well water rights goes something like this: 4 months at up to 10,000 gallons of water rights per day equals 120 days needed, times 10,000 per day equals 1,200,000 gallons of water and you expect property owners who have surface waters and well water rights to give this up with no replacement or compensation for the loss of water.

Now throw in the chemical toxics of it and the dissipation problems as just another added problem.

Now consider this information for the new, "General Permit"! The Washington State Department of Fish and Wildlife banned the use of Rotenone applications to rehabilitate lakes in the State of Washington in the year 2001. The reasons at that time was studies showed symptoms of Parkinson's Disease. See Appendix F-4 . See some of the latest Medical Documentation on Rotenone and Parkinson's disease at: Appendix F-15. See the Highlighted yellow text(s).

Obviously banning Rotenone in the State of Washington in 2001 was the proper thing to do then and now!

California has banned Rotenone Applications. See Appendix F-6 and the problems before the Banned Applications at Appendix F-7.

The Arlt Family Limited Partnership split a piece of property in 1968 with Robert and Velda Gregson at Park Lake into the Rocky Point Short Plat with the Arlt Family Limited Partnership becoming Lot 1 and Robert and Velda Gregson becoming Lot 2. See attached file of the Rocky Point Short Plat Survey at: Appendix C-1 (the last page is the plat).

The survey and filing of the Rocky Point survey required many legal approval signatures and documents of approval. One of those approvals pertain to the migratory routes of the Nespelem Indian Nation from the Grand Coulee Dam area to the Ceremonial Grounds in Soap Lake. This included the shoreline property of the Rocky Point Short Plat on Park Lake. This means the Indian Nations have rights to use shoreline property for Migratory routes and includes fishing, hunting, water use any time anywhere on Park or Blue Lakes. Also included in the approval of the Nespelem Indian Nation was the discussion (but not written) if we are excavating and discover any human bones to stop immediately and notify the Nespelem Indian Nation so they can examine them. See Appendix F-3.

We bring this up as the new "General Permit" draft document has a section of new "Indian Country and trust or restricted lands item located under S1. PERMIT COVERAGE, item B. Geographical Area Covered, item 2. See Appendix F-1 and Appendix F-3 on Tribal concerns of adverse effects.

In a browser search of the Nespelem Tribal information and data, a document was discovered which proposes to assess the use and risks of the piscicide antimycin-A as an additional tool to eliminate or reduce population of non-native fish. The dates listed in document preparation is January 2002, June 2004, Public Meetings May 3, 2005 in Spokane, May 4, 2005 in Olympia, with the distribution listing on April 20th 2005.

On May 20, 2005 written comments were to be received. There are 2 and 2/3 pages of names and organizations on this distribution listing. See Appendix C-2 for the 5 page document.

The reason this is in here shows an attempted expansion of toxic poisons arsenal other than just Rotenone coming in the future for Fish and Wildlife Applications. It also concerns statewide applications when viewing the distribution listings.

This is a complete trick. Any of these toxic chemicals are not selective to any species of fish or water creatures for killing or elimination. If so, show us the testing and the results on that for Rotenone including powdered, liquid or antimycin-A or any others.

This draft "General Permit" on page 5, Item S4 A. The Application of Products, item B. Authorized Discharges, item B. 2. and 3.

On page 3, item, S1. PERMIT COVERAGE, item A. Activities Covered under this Permit.

It is very clear here that rotenone and potassium permanganate is the only allowable piscicide for future use in the State of Washington for fish management activities.

How can this toxic chemical poison select the differences between native and non native fish when there is no definition anywhere that we have found of those specific species in the State of Washington.

Atmospheric contamination is not tested for changes in dissipation or changes during these toxic applications. Humans, and animals breathe the air, birds fly in it as well. Certain creatures, like frogs, turtles, ducks, geese, muskrat, mink spend time on land, breathe air and live in the water.

The National and State Columbia Plateau region is very concerned about endangered species. We have been very concerned about the endangered Bald Eagles identified and living in this region and especially those living in the Park Lake area.

There was a meeting held with us, Walter Arlt and Bob Gregson, with Ron Sell from the Grant County Planning Department. The subject of the meeting was: WILDLIFE HABITAT EVALUATION - ROCKY POINT SHORT PLAT, PARK LAKE, SE1/4SEC.10 T24N.MR27E.

After that meeting we received the following comments in writing:

The area supports a rich combination of fish and wildlife habitats identified and the PHS designation for open water (lake), islands, wetlands, shrub steppe, cliffs and talus slopes. These habitats support a diverse community of wildlife including chuckars, mule deer, waterfowl concentrations (both nesting and migratory) loggerhead shrike, **bald eagles**, and many species of the more common wildlife. Plus the lake supports a productive rainbow trout fishery.

As noted above, the proposed action is mainly to clarify county and ownership records. No new construction or alteration of existing habitat is planned through this action. Therefore, no potential impacts should be expected.

However, due to the high quality of the habitat in the project area, we take this opportunity to encourage the owners to practice good stewardship to protect the habitats and associated fish and wildlife populations. Among others this could include strict control of pets to minimize disturbance to nesting or resting wildlife. The entire 2 page document is seen at Appendix F-14.

We, the Arlt Family Limited Partnership, have attempted to comply with those written comments, especially the section on practicing good stewardship to protect the habitats for several reasons.

AFLP Written Testimony

It can be one of the most beautiful environments in the State of Washington 99% of the time. It can be an environment of "Aquatic Horror" about 1% of the time for several months when Fish and Wildlife comes in for another rehab program about every 8 to 10 years. Our younger children who are now owner partners used to play with huge frogs - they are gone now. They used to play with turtles in the water and on the shore - they are gone now. We used to see an abundance of mink, muskrat and raccoons on our property, around our dock and near islands in the lake. They also are gone now. We used to have ducks and geese eating on our property with the lawn grass. In the last few years we have seen few. Mule deer are still around and we see them grazing on the lawn early in the morning and evenings at times.

The Bald Eagles (endanger species) became of concern to us when the Fish and Wildlife Commission passed a Policy Number: POL-C3010 on February 8, 2002. We, the Arlt Family Limited Partnership, did not discover it till this week, July, 13, 2015. We were all stunned!

The full 1 page document of that policy PO:-C3010 is seen as **Appendix A-5 attached to that same Appendix is the sign post picture of the Rotenone application date for Park Lake, November 16-22, 2006.**

FISH AND WILDLIFE COMMISSION POLICY DECISION

Policy Title: Lake and Stream Rehabilitations.
Effective Date: February 8, 2002

General Policies:

Specific Policies:

2. Waters will not be treated in ways which would cause significant negative impacts to fish or wildlife which are state or federally listed as Threatened, Endangered, Sensitive or Candidate Species.

An exception may be granted in the case of biological emergency.

There was no public involved in a meeting as stated in item # 3. In item 1. a. All Applicable environmental, health and safety regulations will be followed, and they were not.

In our opinion, this is a gross violation of the 2006 Rotenone Application to Park Lake and a violation strong enough to terminate the New General Permit in the State of Washington.

Appendix A-6 includes images of a Bald Eagle in a tree near the F&W Rotenone Application area of Sun Lakes Resort Marina area. The pictures were taken on November 17, 2006. Video of the Eagles taken at that time will show Eagles eating poisoned (with audio) dead fish on day 2 of the application and flying carrying a dead fish. The area is less than 300 feet in the tree from the Rotenone boat application loading area. See the still pictures attached in Appendix A-6 along with all of the protest posters used by the Arlt Family Limited Partnership members.

For the purpose of written testimony and to have a complete understanding of this Park Lake Environmental area and the issues of it we have made Google Earth Images. These images are to be used as references for better understanding when needed for special points of testimony that include

distances between area points and or locations of items relative to each other. These Google Earth images are all located together in Appendix B with individual numbers of reference on them.

Appendix B-1 is an overall view of the East end of Park Lake.

Appendix B-2 shows Sun Lakes Resort, F&W Rotenone Headquarters in 2006, the Eagle Nesting area and where the video was recorded from.

Appendix B-3 is an enlarged view of the AFLP Property, Arlt Dock and Arlt/Gregson domestic (Potable) well.

Videos of the Rotenone Park Lake applications:

Appendix D-5 is the Powdered Rotenone application that took place on November 16 -17, 2006. The video is 34.5 minutes in length and 1.21 GB in file size.

Special concern was to the endangered Bald Eagles and the impact of this Rotenone application. Video of the Bald Eagle(s) begins at the 2 minute mark of the video and ends at the 6 minute mark of the video. If you look at the Appendix B #1, #2 and #3 Google images while viewing this video, you will get a much better idea just where these Eagles were in regards to the F&W Rotenone application headquarters. You will also understand where the video camera recording these pictures was located and where the still pictures that were taken which are in (Appendix A-6) of the Eagles.

Appendix D-6 is the Liquid Rotenone application that took place on November 18, 2006. The AFLP members were very, very concerned about this application that day and had met with the Grant County Sheriff Department deputies for a meeting with Fish and Wildlife applicators the evening before at Sun Lakes Resort. This was the Headquarters area for Fish and Wildlife Department Rotenone application on Park Lake.

The results of that discussion and meeting is that Fish and Wildlife would not place any Liquid Rotenone anywhere near the Arlt Family Limited Property the following day.

Members of the AFLP winterized the place and shut it down completely except for the well. It was decided that all members of the family would leave the property for their home in Ellensburg, except the Managing Partner, Spike Arlt. He remained to lock up the property and video record the Liquid Rotenone application and stay upwind at all times. He did all the video camera work for Appendix D-6. Staying upwind was a good challenge and required him to leave the property early to move west on Highway 17.

Liquid Rotenone requires special masks and hazmat suits for the toxic chemical applications. He had no specialized protective equipment, so it was critical for him to stay upwind while recording the application. The AFLP property is most always downwind from the center of the lake, if there is any wind at all most of the year.

Potable (well) water problems.

In addition, the available surface waters are contaminated with chemical fish killing toxins and poisons, so water right owners cannot use any needed water during that dissipation time period. As the dissipation period began, bad weather set in with cold weather and very windy storms. We decided there was going to be major problems with the dissipation of the toxic chemicals. We decided to keep a simple easy Log and set up a "ROTENONE CONTAMINATION/DISSIPATION SCHEDULE" for both Park and

Blue Lakes as the "Horror Story" of toxic chemical dissipation began. See Appendix G-1 for an impacting perspective of the Log Schedule happening of nature.

Before Blue and Park Lake froze over the dissipation had hardly began. 100 mph+ wind storms literally blew the toxic chemicals out of both lakes in a Rotenone spray. The strong winds blew the dead fish high upon the shorelines also. Some of this was due to very strong wave action. It became a freezing spray on November 27th, just 9 days after November 18th when Liquid Rotenone was applied to Park Lake. See Appendix G-4 for the still pictures of it.

On December 12 and 13th I visited the property to see how the dissipation was going. A quick look of the Arlt dock gave me a rather sick feeling immediately. There was an unusual "petroleum slick" which seemed to be coming from under the ice about 100 feet from the Arlt/Gregson well. I knew I needed some pictures of the ice freezing over on Park Lake immediately. There were going to be problems with the dissipation of the Rotenone toxics. You just can't make this stuff up either when you look at the total puzzle problem.

As Managing Partner, I made a full attempt to find out what kind of chemicals (Inert Chemicals) were in the Park Lake water under thickening ice! See Appendix G-6. As you can see the ice got up to 8" thick soon. The Arlt Family Limited Partnership began testing lake water and taking well water samples to see if rotenone had entered the well with MitoScan testing. Rotenone had entered the well with the MitoScan testing. The results of our testing on a one page summary sheet is: Appendix G-7. Yes we do have a hydraulic connection between the lake water and our well in basalt rock!

As Managing Partner, I headed for the best experts I could find for consulting and recommendations. Not much happened in that area until early March. Nobody wanted to be involved with this rotenone or Fish and Wild governmental problem. See Appendix G-2. I went to the local Ellensburg well people at Irrigation Sales and Service. See Appendix G-3. The summary I decided not to print.

In late March after spreading the word around of our MitoScan Testing including the State of Washington Department of Health we got challenged in a letter from Barbara Morrissey. We had received a letter from the Agriculture Hop Lab of no detection in the one well sample they took. The Rotenone showed no detection above the limit of 0.003 ppm (parts per million) Of course none will be found when you are looking for parts per million (ppm) instead of parts per billion (ppb)! There are a few decimal point differences that make a strong legal difference.

I should have turned my scientist son John Arlt on this one, but we have already wasted 8 years of silenced time on this now. See Appendix G-8 for the Morrissey letter dated March 29, 2007.

Appendix G-9 is pictures of son John Arlt testing samples and comparing them with concentrations of pure laboratory rotenone concentrations and lake and well water samples. Some of the equipment is pictured.

Normally we contract certified labs to do our work, but when none exists or they cannot do what we need, then we do it the old fashioned way ourselves. I will just continue to say this . . . there was rotenone in our well then and we can prove it!

After the dissipation period on March 30, 2007, we could not pass the bacteria testing from our (AFLP) well. This resulted in many different water tests and the installation of bacteria killing UV systems for

AFLP Written Testimony

domestic uses and Reverse Osmosis water purification systems for domestic use. We consulted the best of filtration and experts around on how to handle this. See Appendix G-2 and G-3. We eventually contracted Dale Bouchey from Kinetico, Quality Water Systems, LLC in Yakima, Washington for our needed equipment.

The costs for this AFLP equipment was expensive, especially if you include our labor installing it. There are annual maintenance costs also.

The major point here as a property owner paying top rate county taxes is not only being completely taken advantage of on the water use, water quality and water resources, but the land and air also becomes health problems for everything especially if it is downwind.

I have to ask this question of the Fish and Wildlife Department: Do you actually own, control or manage any of the water, land or air that your native fish and wildlife are on or in? No. That is why we have the Department of Ecology to manage and control all of that.

Logs of the dissipation weather do not exist. Major storms occur in the late fall with wind velocities up to 100+ mph attacking from all different directions, freezing temperatures including ice over lakes. There may be sunshine or overcast conditions for days including high levels of fog. If you are downwind of the lake or stream you get it all - the dead contamination of bodies on the shorelines, the fumes and the decaying toxics for the entire environment. "Washington's water quality statutes and regulations do not allow the discharge of pollutants to water of the state without permit coverage. "

A 13 page document was filed and dated November 6, 2006 for 2002 NPDES permit termination action to the POLLUTION CONTROL HEARING BOARD FOR THE STATE OF WASHINGTON before application of powdered and liquid rotenone was applied to Park Lake in 2006. Documented facts support the appeal for termination of the NPDES permit. See Appendix G-10.

After the 2006 Fish and Wildlife Rotenone application to Blue and Park Lake these potential harmful concerns for human health and the environment that I, Walter "Spike" Arlt, testified to in my 3 minute oral presentation became a reality - not only to the Arlt Family Limited Partnership members and their families, but to other residents living on Blue and Park lakes and in Eastern Washington.

Major problems still exist with the hidden "Inert Ingredients" in the powdered and liquid rotenone products used in these applications. The "toxics" are simply unknown while a few have been identified by special testing. See Appendix G-11.

Since the inert ingredients are corporation trade secrets in pesticides, hidden and unknown, it is critical that this "General Permit" require pretesting on all these Rotenone products before they are placed into the State of Washington surface waters. Those surface waters become ground aquifers and ground aquifers become surface waters.

We have the right to know what is being placed into these surface waters if we are going to abandon what little protection we have in a "General Permit" like the one being proposed. This is in conflict with the State Water Pollution Control Act, the Federal Government, the State Ecology Department and the County Government.

Summary: Ban the Fish and Wildlife Rotenone applications in the State of Washington to stop the 10th application to Park and Blue Lakes!

Respectfully yours,

A handwritten signature in black ink that reads "Walter 'Spike' Arlt". The signature is written in a cursive, flowing style with a long horizontal line extending from the end.

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